SINGLE BENCH (1)

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 5126 **OF 2005**

PETITIONER : Girish Sharma, aged about 37 years, S/o Late Kishori Lal Sharma, R/o – through Sharma Kiraya Bhandar, Station Road, Tilda, Police Station – Neora, Thasil-Tilda, District – Raipur (C.G.)

VERSUS

RESPONDENTS : Smt. Rajni Sharma, aged about 34 years (Mentally Retarded), W/o Girish Sharma, D/o Late Bhanvri Lal Sharma, Through Her Next Friend (वाद मित्र), Smt. Bhagwati Devi Sharma (Mother), R/o- Marwadi Bhojnalaya, Kankalipara, Raipur,

P.R. No. 5271/05
Presented by S. Pandya
7/6/05

WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P.No. 5126/2005 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24-10-2005: **W.P. No 5126 of 2005.** Heard Shri Shivendu Pandya, learned counsel for the petitioner. The petitioner filed an application for divorce under Section 13 of the Hindu Marriage Act, 1955 on the ground of psychosis and desertion for more than 2 years, in the Court of Principal Judge, Family Court, Raipur. The respondent filed an application under Section 24 of the Hindu Marriage Act for grant of maintenance during the pendency of the application under Section 13 of the Hindu Marriage Act. The Trial Court by its order dated 03-09-2005 directed the petitioner to pay a sum of Rs. 1500/- per month towards maintenance during the pendency of the application under Section 13 of Hindu Marriage Act and Rs.1000/- as legal expenses. Learned counsel for the petitioner submits that the petitioner has no objection to the payment of maintenance pendentelite and legal expenses, but the petitioner wants to challenge the impugned order on the ground that the petitioner was not allowed to file his reply to the said application. Since, the petitioner is not challenging the impugned order for payment of Rs.1500/- per month towards maintenance and Rs.1000/- towards legal expenses, entertaining this petition will serve no purpose by directing the petitioner to file reply to the application filed under Section 24 of the Hindu Marriage Act. However, the petitioner is at liberty to file an application, if necessary, for amendment/modification of the order in accordance with law.	

(31)

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P. 5126/05 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the foregoing, the petition stands disposed of. No order as to costs. Consequently, M.W.P. No. 4148 of 2005 and I.A. No. 8993 of 2005 stand disposed of. **Sd/-** **Satish K. Agnihotri** **Judge**	

Subby

28.10.05